

## **United States Patent Application**

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### WATER ENHANCEMENT FOR MACROCELL AND MICROCELL PREDICTION MODELS

The specification of which:	
a. 🛛 is attached hereto.	
b. was filed on as United States Application Number or PCT Internation and was amended on (if applicable), which I have United States patent.	
I hereby state that I have reviewed and understand the contents of the above-identifications, as amended by any amendment referred to above.	ed specification, including the
I acknowledge the duty to disclose information which is material to the patentability with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).	of this application in accordance
I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(application(s) for patent or inventor's certificate or 365(a) of any PCT international a one country other than the United States of America, listed below and have also ident for patent or inventor's certificate or any PCT application having a filing date before of which priority is claimed:	pplication which designated at least atified below any foreign application
<ul> <li>a. \( \subseteq \) no such applications have been filed.</li> <li>b. \( \subseteq \) such applications have been filed as follows:</li> </ul>	
FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY	UNDER 35 USC § 119
COUNTRY APPLICATION NUMBER DATE OF FILING	DATE OF ISSUE

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or 365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose

OTHER FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)

APPLICATION NUMBER

(day, month, year)

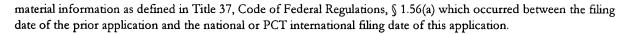
DATE OF FILING

(day, month, year)

(day, month, year)

DATE OF ISSUE (day, month, year)

**COUNTRY** 



U.S. PARENT APPLICATION OR PCT PARENT NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/232,056	12 SEPT 00

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

D : : 37 00 000
Registration No. 33,500
Registration No. 39,641
Registration No. 39,927
Registration No. 42,236
Registration No. 39,187
Registration No. 45,472

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Gates & Cooper to the contrary.

Please direct all correspondence in this case to the firm of Gates & Cooper at the address indicated below:

### **Customer Number 22462**

GATES & COOPER Howard Hughes Center 6701 Center Drive West, Suite 1050 Los Angeles, CA 90045

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(1)	Full Name	Family Name	First Given Name	Second Given Name
	Of Inventor	LEE	WILLIAM	C.Y.
ľ	Residence & Citizenship	City Danville	State or Foreign Country California	Country of Citizenship U.S.A.
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Sign	nature of Invent	or(1):		Date:
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	Full Name Of Inventor	Family Name LEE	First Given Name JAU YOUNG	Second Given Name
	Full Name	Family Name		Second Given Name  Country of Citizenship U.S.A.
(2)	Full Name Of Inventor Residence	Family Name LEE	JAU YOUNG  State or Foreign Country	Country of Citizenship

# § 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) it refutes, or is inconsistent with, a position the applicant takes in:
    - (i) opposing an argument of unpatentability relied on by the Office, or
    - (ii) asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) each inventor named in the application:
  - (2) each attorney or agent who prepares or prosecutes the application; and
  - (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.